

IN RE: PETITION FOR ADMINISTRATIVE  
ZONING VARIANCE  
N/S Flintstone Road, 1900 ft.  
(1/2) SE/4 R1400000 Road  
1702 Flintstone Road  
6th Election District  
3rd Councilmanic District  
Melvin O'Neal Mainhart, et ux  
Petitioners

\* BEFORE THE  
\* ZONING COMMISSIONER  
\* OF BALTIMORE COUNTY  
\* Case No. 93-353-A

#### FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance from Section 1A03.4.B.2 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 25 ft. and 20 ft., for an addition, in lieu of the required 50 ft., as more particularly described on Petitioners' Exhibit No. 1.

The Petitioners having filed a Petition for Residential Variance, and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, including letters in support for the Petition from their immediate neighbors, and the photographs presented, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should, therefore, be granted. In the opinion of the Zoning Commissioner, the information, photos, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 19th day of May, 1993 that the Petition for a Variance from Section 1A03.4.B.2 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 25 ft. and 20 ft., for an addition, in accordance with Petitioners' Exhibit No. 1, is hereby GRANTED, subject, however, to the following restriction which are conditions precedent to the relief granted herein:

1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

LAWRENCE E. SCHMIDT  
Zoning Commissioner  
for Baltimore County

LES:mmm

Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning

Suite 113 Courthouse  
400 Washington Avenue  
Towson, MD 21204

(410) 887-4386

May 19, 1993

Mr. and Mrs. Melvin O'Neal Mainhart  
2720 Flintstone Road  
Freeland, Maryland 21053

RE: Petition for Administrative Variance  
Case No. 93-353-A  
2720 Flintstone Road

Dear Mr. and Mrs. Mainhart:

Enclosed please find the decision rendered in the above captioned case. The Petition for Administrative Variance has been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,

LAWRENCE E. SCHMIDT  
Zoning Commissioner

LES:mmm  
encl.

## Petition for Administrative Variance 93-353-A to the Zoning Commissioner of Baltimore County

for the property located at 2720 FLINTSTONE RD., FREELAND, MD  
which is presently zoned

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1A03.4.B.2 of the Baltimore County Zoning Regulations to permit a side yard setback of 25' and 20' in lieu of the required 50'.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty)

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above variance advertising, posting, etc. upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law of Baltimore County.

Contact Person/Owner	NAME (Last, first, middle initial) MELVIN O'NEAL MAINHART
Type or Print Name	Signature
Signature	LAURIE ROESLER MAINHART
Address	2720 FLINTSTONE RD. (410) 343-0715
City	FREELAND, MD 21053
State	MD
Zip Code	21053
Phone No.	
Address	
City	
State	
Zip Code	
Phone No.	

A Public Hearing having been requested and/or held to be requested it is ordered that the Zoning Commission of Baltimore County, the Board of Appeals of Baltimore County, or the Board of Zoning Appeals of Baltimore County, shall hold a public hearing on this petition on or before the date of the public hearing, and that the proposed variance be considered and acted upon at that time.

RECEIVED BY: RT DATE: 4-15-93  
ESTIMATED FILING DATE: 5-3-93  
ITEM #: 3169

## Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) were competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) do(es) presently reside at 2720 FLINTSTONE RD.

FREELAND,	MD	21053
City	State	Zip Code

That based upon personal knowledge, the following are the facts upon which I/we have the request for an Administrative Variance at the above address: (Indicate hardship or practical difficulty)

THE MOST ADVANTAGEOUS AND PRACTICAL AREA TO BUILD THE ADDITION WOULD BE ON THE NORTH SIDE OF THE HOUSE. THE FRONT AND SOUTH SIDE WOULD ALSO BE WITHIN THE DISTANCE REQUIRING A VARIANCE. THE WELL IS LOCATED NEAR TEN FEET FROM THE HOUSE AND THE ROAD IS ALREADY VERY CLOSE TO THE SOUTH SIDE. THE ONLY OPTION REMAINING IS THE BACK OF THE HOUSE AND THIS WOULD REQUIRE THE ELECTRICAL LINES BE MOVED AND THE MAIN SEPTIC LINE WOULD HAVE TO BE RE-ROUTED. ALSO, THE ADDITION IS NEEDED AS SOON AS POSSIBLE BECAUSE OF THE NECESSITY OF A FIRST FLOOR BEDROOM/BATHROOM. (OWNER HAS RHEUMATOID ARTHRITIS)

That Affiant(s) acknowledge(s) that if a process is filed, Affiant(s) will be required to pay a reporting and advertising fee and may be required to provide additional information.

MELVIN O'NEAL MAINHART  
LAURIE ROESLER MAINHART

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 23rd day of Sep, 1993, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Melvin Mainhart & Laurie Mainhart

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her knowledge and belief.

AS WITNESS my hand and Notarial Seal.

Sep 23-1993

My Commission Expires:

FRANK LAY  
NOTARY PUBLIC STATE OF MARYLAND  
My Commission Expires June 10, 1995

## 93-353-A 2720 FLINTSTONE ROAD (DESCRIPTION)

Beginning at a point on the north side of Flintstone Road said point is 1900'± southeast from the center line of Middletown Road. Thence:

N 46° - 25' W - 486.98'  
S 40° - 12' W - 412.50'  
S 36° - 28' E - 152.93'  
N 66° - 51' E - 115.91'  
N 52° - 40' E - 116.59'  
N 85° - 28' E - 118.79'  
S 78° - 20' E - 116.93'  
N 77° - 42' E - 52.68'  
to the point of beginning  
with an approximate area  
of 2.67 acres.

Section 1A03.4.B.2 to permit a side yard setback of 25' and 20' in lieu of the required 50'.

## CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 6th  
Posted for: Variance  
Petitioner: Melvin & Laurie Mainhart  
Location of property: N/S (R200) Flintstone Rd., 1900 ft. N. of Middletown Rd.  
Location of Sign: Signs located on property of R. L. Brown  
Remarks: None  
Posted by: M. Mainhart  
Number of Signs: 1  
Date of Posting: 4/28/93  
Date of return: 4/30/93

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT

DATE: 4-12-93 ACCOUNT: R-001-6150

AMOUNT: \$ 85.00

RECEIVED FROM: Melvin O'Neal Mainhart

FOR: Adm. Variance

33A03H0048MICHBC  
VALIDATION OF RECEIPT BY: 405.00

93-353-A

ITEM# 369

Baltimore County Government  
Office of Zoning Administration  
and Development Management

111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

May 10, 1993

Mr. and Mrs. Melvin O'Neal Mainhart  
2720 Flintstone Road  
Freeland, MD 21053

RE: Case No. 93-353-A, Item No. 369  
Petitioner: Melvin O'Neal Mainhart, et ux  
Petition for Administrative Variance

Dear Mr. and Mrs. Mainhart:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e., Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on April 15, 1993, and a hearing was scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1) The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by Zoning personnel.

SHA  
Maryland Department of Transportation  
State Highway Administration

4-22-93

Re: Baltimore County  
Item No. \* 369 (RT)

Ms. Helene Kehring  
Zoning Administration and  
Development Management  
County Office Building  
Room 109  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

Dear Ms. Kehring:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration projects.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

for Bob Small  
John Contestabile, Chief  
Engineering Access Permits  
Division

My telephone number is \_\_\_\_\_

Teletypewriter for Impaired Hearing or Speech  
363-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-492-5082 Statewide Toll Free  
707 North Calvert St., Baltimore, Maryland 21203-5717

BALTIMORE COUNTY, MARYLAND  
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director  
Zoning Administration &  
Development Management

FROM: Pat Kellar, Deputy Director  
Office of Planning and Zoning

DATE: May 4, 1993

SUBJECT: 2720 Flintstone Road

INFORMATION:

Item Number: 369

Petitioner: Melvin O'Neal Mainhart

Property Size: \_\_\_\_\_

Zoning: R.C. 2 and R.C. 4

Requested Action: \_\_\_\_\_

Hearing Date: \_\_\_\_\_

SUMMARY OF RECOMMENDATIONS:

Should the applicant's request be granted, staff recommends that approval of the request be subject to a condition that any improvement be generally compatible with the built environment of the neighborhood.

Prepared by: Jeffrey M. Long

Division Chief: Carol Kenna

PK/JL:lw

BALTIMORE COUNTY, MARYLAND  
INTER-OFFICE CORRESPONDENCE

TO: Zoning Advisory Committee Date: April 29, 1993

FROM: Captain Jerry Pfeifer  
Fire Department

SUBJECT: Comments for 05/03/93 Meeting

Item 361 No Comments

Item 362 No Comments

Item 363 No Comments

Item 364 No Comments

Item 365 No Comments

Item 366 No Comments

Item 367 No Comments

Item 368 No Comments

Item 369 No Comments

Item 370 Fire Hydrants are required on site. State law requires townhouses, where permit is issued after 07/01/92, to be sprinklered.

Item 371 No Comments

Item 372 No Comments

Item 373 Existing exits shall be maintained to a public way.

RECEIVED  
APR 30 1993  
ZADM

BALTIMORE COUNTY, MARYLAND  
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT  
INTER-OFFICE CORRESPONDENCE

June 10, 1993

TO: Mr. Arnold Jablon, Director  
Zoning Administration and  
Development Management

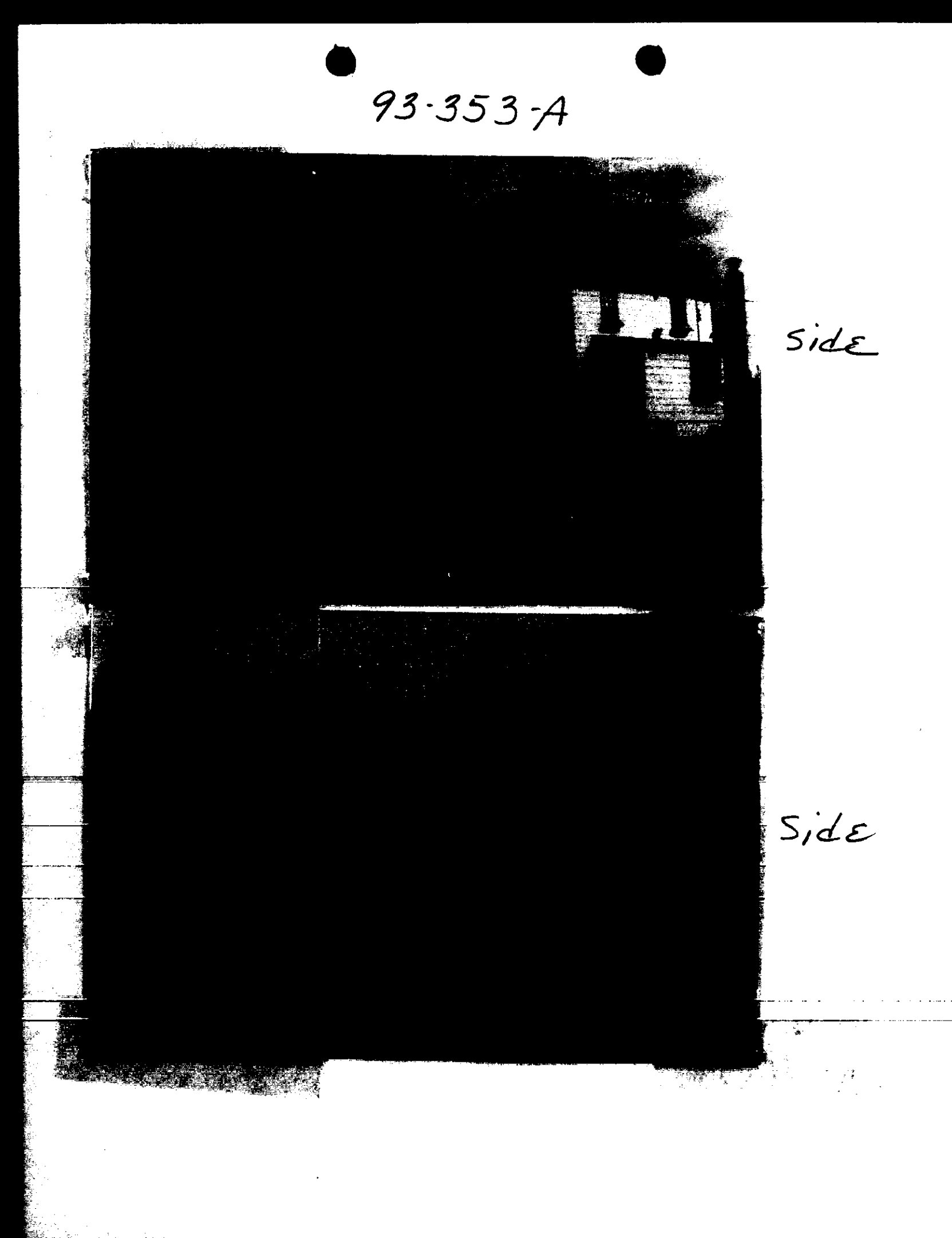
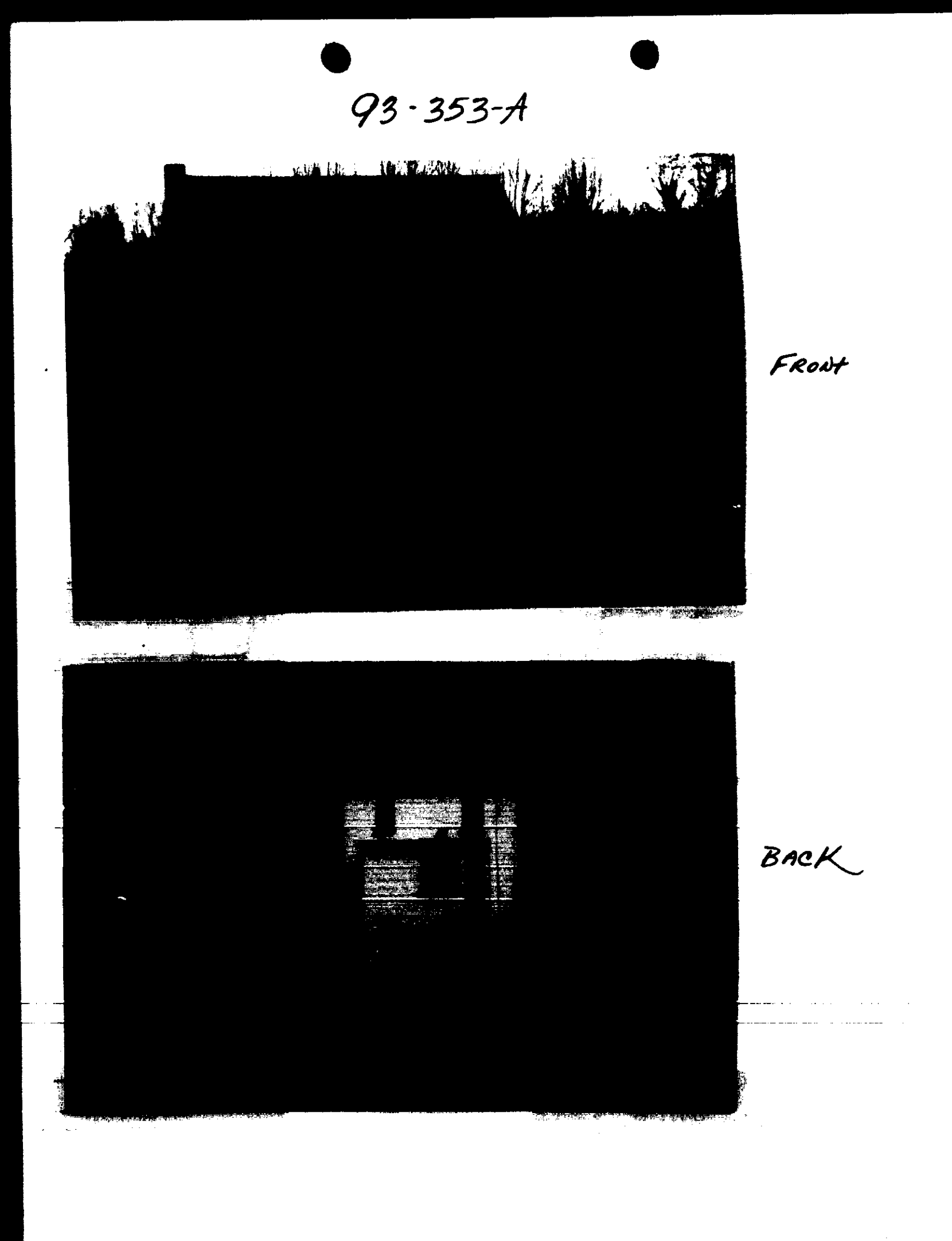
FROM: J. Lawrence Pilson  
Development Coordinator, DEPRM

SUBJECT: Zoning Item #369, Mainhart Property 93-353-A  
2720 Flintstone Road  
Zoning Advisory Committee Meeting of April 26, 1993

The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item.

Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains and Forest Conservation before issuance of building permit, please contact Mr. Paul Dennis at 887-3226 for further information.

JLP:sp  
MAINHART/TXTSBP



Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

PROPERTY ADDRESS: 2720 Flintstone Rd. Towson, Md 21205

Subdivision name: N/A  
plat book# \_\_\_\_\_, folio# \_\_\_\_\_, lot# \_\_\_\_\_, section# \_\_\_\_\_

OWNER: Melvin O'Neal Mainhart

North  
date: 4/10/93  
prepared by: Melvin O'Neal Mainhart

Scale of Drawing: 1" = 80'

93-353-A

see pages 5 & 6 of the CHECKLIST for additional required information

Vicinity Map  
scale: 1"=1000'

LOCATION INFORMATION

Councilmanic District: 3  
Election District: 6  
1"=200' scale map#: NW 36A  
Zoning: R.C. 2 & R.C. 4  
Lot size: 2.674 acreage square feet

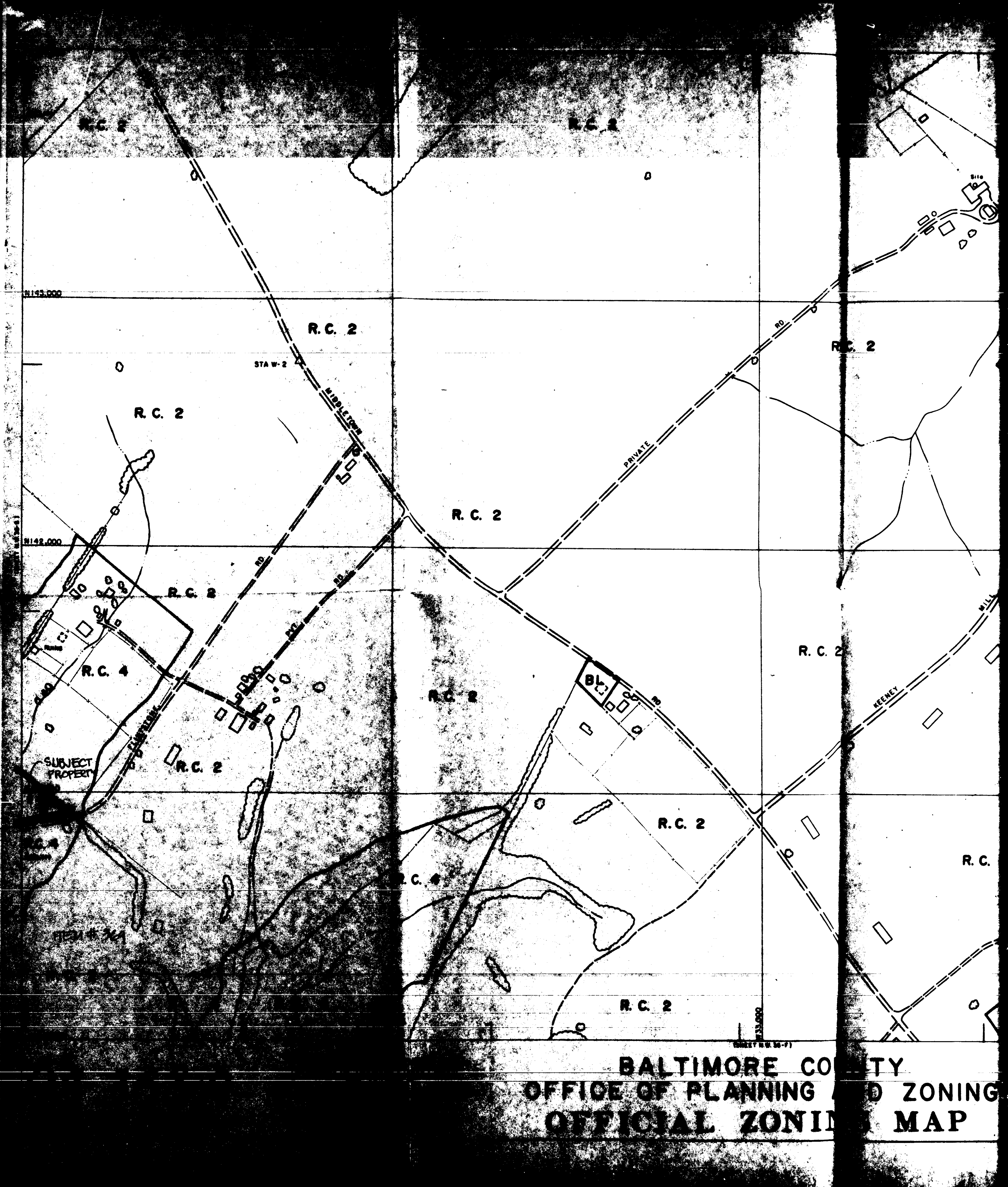
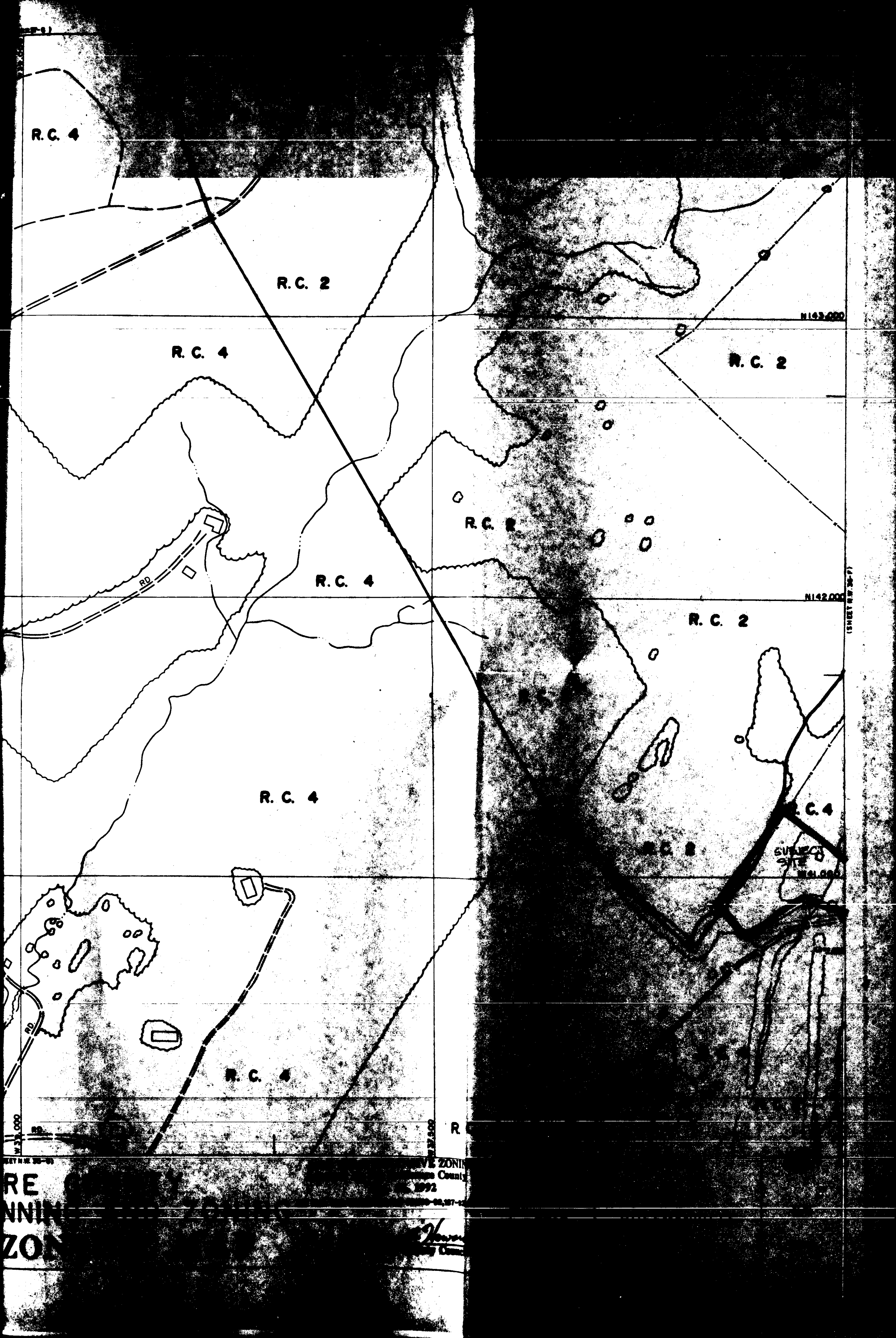
SEWER: ☐ public ☒ private  
WATER: ☐ public ☒ private

Chesapeake Bay Critical Area: ☐ yes ☒ no  
Prior Zoning Hearings: none

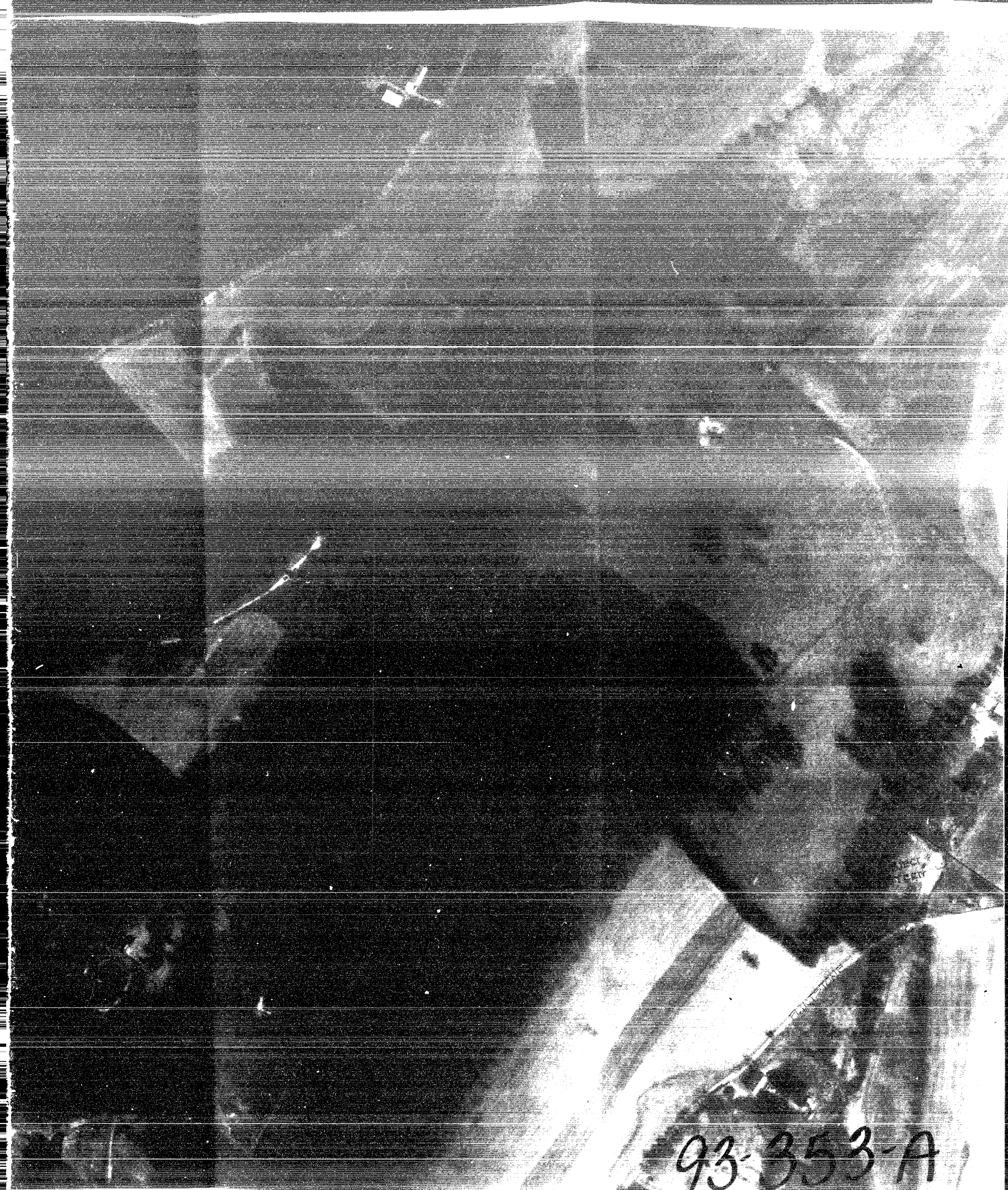
Zoning Office USE ONLY!

reviewed by: R.T. ITEM #: 369 CASE#:





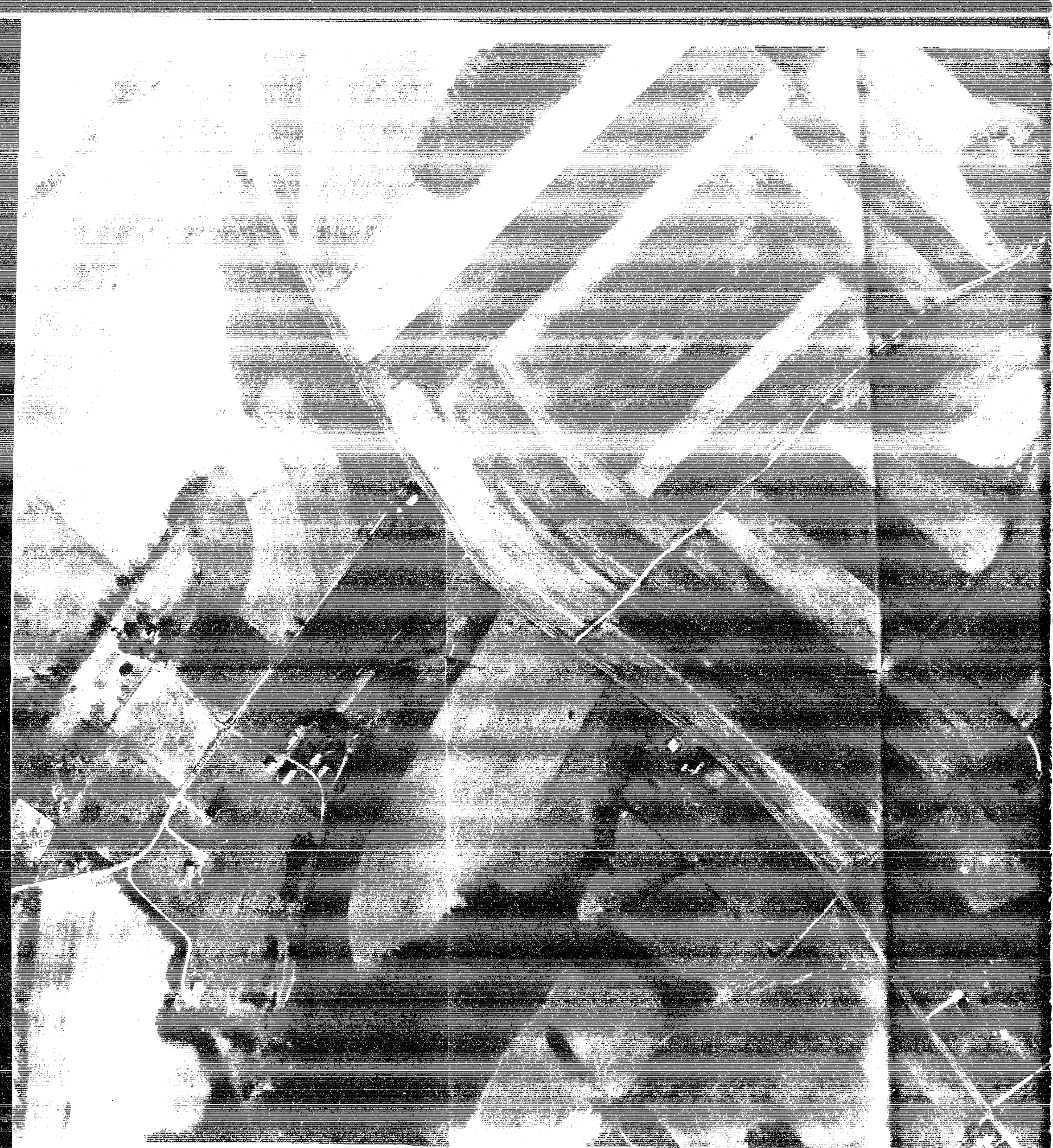




93-353-A

BALTIMORE COUNTY  
OFFICE OF PLANNING AND ZONING  
AERIAL PHOTOGRAPHIC MAP

SCALE	LOCATION	SHEET
1" = 200'	1/4 SECTION 30	NW
DATE OF PHOTOGRAPHY	EAST OF	
JANUARY 1966	HOFFMANVILLE	36 11



93-353-A

BALTIMORE COUNTY  
OFFICE OF PLANNING AND ZONING  
AERIAL PHOTOGRAPHIC MAP

PREPARED BY AIR PHOTOGRAPHICS, INC.  
MARTINSDALE, W.V. 26151